

IN THE MATTER OF APPLICATION)
45135 TO APPROPRIATE WATER FROM)
AN UNDERGROUND SOURCE IN COLUMBUS)
SALT MARSH VALLEY, ESMERALDA)
COUNTY, NEVADA.)

R U L I N G

FINDINGS OF FACT

I

Application 45135 was filed on December 14, 1981, in the name of Dennis Long to appropriate 0.1 c.f.s. of water from an underground source to be located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, T. 3 N., R. 36 E., M.D.B.&M., to be used for mining, milling and domestic purposes. Notice of publication of Application 45135 was mailed to the Tonopah Times Bonanza and Goldfield News, in accordance with NRS 533.360 on March 26, 1982. Application 45135 became ready for action by the State Engineer's Office on June 6, 1982.

II

The applicant was notified by letter from the State Engineer's Office dated June 21, 1982, that Application 45135 was ready to be approved but that in accordance with NRS 533.375, it would be necessary for additional information to be submitted for the issuance of a permit by the Division of Water Resources. No information concerning consumptive use was submitted as a result of that notice; and by subsequent certified letters sent to Dennis Long and his agent, George Wilson, dated August 27, 1982, the applicant was again advised that the application was ready to be approved but that it would first be necessary that the additional information be submitted for the issuance of the permit. George Wilson later indicated that Dennis Long had moved leaving no forwarding address. A properly endorsed receipt for that certified notice is on file in the office of the State Engineer. To the date of this ruling, no additional information has been received under Application 45135.

CONCLUSIONS

I

The State Engineer has jurisdiction in this matter under the provisions of NRS 533.375.

II

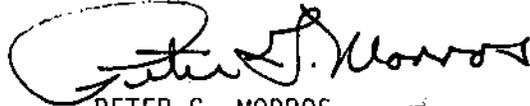
The applicant has been properly notified of the requirement for the submission of the additional information needed and has failed to comply with that requirement.

Ruling
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RULING

Application 45135 is herewith denied on the grounds that the applicant has failed to submit the additional information under the provisions of NRS 533.375.

Respectfully submitted,



PETER G. MORROS
State Engineer

PGM/MD/br

Dated this 23rd day
of December, 19 82